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Attorneys for Defendants PRUCO LIFE INSURANCE COMPANY
and THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

YUPEI TIAN,)	CASE NO. C07-04343-JW
)	
Plaintiff,)	
)	
v.)	STIPULATION AND [PROPOSED]
)	ORDER AMENDING CASE
PRUCO LIFE INSURANCE)	SCHEDULE
COMPANY, THE PRUDENTIAL)	
INSURANCE COMPANY OF)	
AMERICA,)	
)	
Defendants.)	
_____)	

The parties conducted a mediation before Jessica Notini, Esq. on March 18, 2008. The case was not resolved, but the parties are continuing to discuss the possibility of settlement. Pursuant to the Court's December 13, 2007 Scheduling Order, the deadline for serving expert witness disclosures is on June 2, 2008, with rebuttal expert disclosures due on June 16, 2008. The parties believe that continuance of these dates, as well as the other dates set forth in the Scheduling Order, by approximately thirty (30) days will facilitate continued settlement discussions and the possible resolution of this matter. There have been no previous time modifications in this case.

THEREFORE, IT IS HEREBY STIPULATED, by and between all parties herein, by and through their respective counsel, and subject to Court approval, that the Case Schedule in the Court's December 13, 2007 Scheduling Order be amended to provide as follows:

AMENDED CASE SCHEDULE

Disclosure of Expert Witnesses (¶ 4) <i>(63 days before close of discovery)</i>	July 14, 2008
Rebuttal Expert Witnesses (¶ 7) <i>(49 days prior to discovery cutoff)</i>	July 28, 2008
Close of All Discovery (¶ 9)	September 15, 2008
Last Date for Hearing Dispositive Motions (¶ 10) <i>(60 days after the Close of All Discovery)</i>	November 17, 2008
Preliminary Pretrial Conference Statements (¶ 11) <i>(Due 10 days before conference)</i>	August 1, 2008
Preliminary Pretrial Conference at 11:00 a.m. (¶ 12) <i>(30 days before the Close of All Discovery)</i>	August 11, 2008

IT IS RESPECTFULLY REQUESTED that the Court issue an Amended Scheduling Order conforming to the proposed Amended Case Schedule set forth above, based upon this Stipulation of the parties.

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1 DATED: May 23, 2008

CAMPBELL, Warburton, Fitzsimmons,
SMITH, MENDELL & PASTORE

2
3 By: _____/s/_____
4 Lisa Jeong Cummins
5 Attorneys for Plaintiff
6 YUPEI TIAN

7 DATED: May 23, 2008

GORDON & REES LLP

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9 By: _____/s/_____
10 Leslie K. Crary
11 Attorneys for Defendants
12 PRUCO LIFE INSURANCE COMPANY
13 and THE PRUDENTIAL INSURANCE
14 COMPANY OF AMERICA

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[PROPOSED] ORDER

BASED UPON THE ABOVE STIPULATION OF THE PARTIES, the Court hereby adopts the following dates set forth in the parties' Stipulation as its Amended Scheduling Order for the above-captioned case.

AMENDED CASE SCHEDULE

Disclosure of Expert Witnesses (¶ 4) <i>(63 days before close of discovery)</i>	July 14, 2008
Rebuttal Expert Witnesses (¶ 7) <i>(49 days prior to discovery cutoff)</i>	July 28, 2008
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IT IS SO ORDERED.

DATED:

JAMES WARE
United States District Judge

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1 PURSUANT TO GENERAL ORDER 45,

2 I, Lisa Jeong Cummins, the ECF User transmitting and filing this **STIPULATION AND**
3 **[PROPOSED] ORDER AMENDING CASE SCHEDULE**, attest that I have obtained the
4 concurrence of Leslie K. Crary on this filing. I declare the foregoing under the penalty of perjury.

5
6 DATED: May 23, 2008

CAMPBELL, Warburton, Fitzsimmons,
SMITH, MENDELL & PASTORE

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8
9 By: _____/s/_____
Lisa Jeong Cummins
Attorneys for Plaintiff
YUPEI TIAN
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